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R.M.L.V., LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JENNIFER KENNEDY, an individual,
CHRIS GORDON, an individual, LUIS
PONCE, an individual, JESSICA
STICKEN, an individual, RAY GROH, an
individual, RICARDO PARSONS, an
individual, ED POLLICK, an individual,
HEATHER SCHNEIBERG, an individual,
JON STARK, an individual, ROBERT
THOMAS, an individual, VAIVA
YOUNG, an individual, STEVEN JULIUS
MILLER, an individual, and on BEHALF
OF OTHERS SIMILARLY SITUATED,

Plaintiffs,

v.

R.M.L.V., LLC, a domestic limited-
liability company; Individually; DOES I
through X, inclusive; and ROE
CORPORATIONS I through X, inclusive,

Defendants.

No. 2:12-CV-1134-GMN

**RMLV, LLC'S UNOPPOSED MOTION TO
EXTEND THE DEADLINE FOR RMLV,
LLC TO RESPOND TO PLAINTIFFS'
MOTION FOR NOTICE OF THE
PENDENCY OF THIS ACTION,
CONDITIONAL CERTIFICATION AND
FOR OTHER RELIEF (DOC. 21)**

(First Request)

Pursuant to LR 6-1 and LR 6-2 of the Local Rules of Civil Practice of the United States District Court for the District of Nevada, defendant RMLV, LLC ("RMLV") requests that the Court grant a one-week extension for RMLV to respond to Plaintiffs' Motion for Notice of the Pendency of this Action, Conditional Certification, and for Other Relief (the "Motion" (Doc. 21)).

1 RMLV's opposition to Plaintiffs' Motion currently is due on December 6, 2012. Based on the
2 extraordinary circumstances set forth below, RMLV respectfully requests that the Court enter an
3 order extending RMLV's deadline to respond to Plaintiffs' Motion until December 13, 2012.

4 On the morning of November 28, 2012, counsel for RMLV contacted Plaintiffs' counsel
5 concerning RMLV's request for a one-week extension. *See* Declaration of Kevin M. Green,
6 attached as Exhibit 1, ¶ 3. Plaintiffs' counsel does not oppose the requested extension. *Id.*

7 Extraordinary circumstances warrant this one-week extension. Plaintiffs' Motion raises
8 important issues that concern the scope of this litigation, including whether this matter should
9 proceed as a collective action under the Fair Labor Standards Act, and what particular groups
10 employees should receive notice of the opt-in action.

11 Plaintiffs' Motion was filed the holiday week of Thanksgiving. The offices of RMLV's
12 counsel were closed beginning mid-afternoon of Wednesday, November 21 through the following
13 Monday morning. RMLV's undersigned counsel also have substantial prior work commitments
14 this week and continuing through the first week of December including, among other things, a
15 two-day deposition of a plaintiff, out of state, in another matter which cannot be rescheduled.
16 Due to their prior work commitments, the Thanksgiving holiday, and the fact that preparation of
17 RMLV's opposition to the Motion will require a substantial amount of time, RMLV's counsel
18 request a brief extension of one additional week to prepare RMLV's opposition.

19 Finally, RMLV's Motion to Dismiss (Doc. 8) is currently awaiting a ruling from the
20 Court. Magistrate Judge Foley has partially stayed discovery in this case pending resolution of
21 RMLV's Motion to Dismiss and has not entered any discovery, dispositive motion, or other
22 deadlines pending resolution of that motion. *See* Order (Doc. 18). Instead, Magistrate Judge
23 Foley has ordered the parties to file an amended discovery plan within 10 days after a decision on
24 RMLV's Motion to Dismiss is rendered. *See id.* Under these unique circumstances, granting
25 RMLV's requested extension will not alter any other deadlines in this case.

26 For the foregoing reasons, RMLV respectfully requests that the Court grant a one-week

1 extension for RMLV to respond to Plaintiffs' Motion, extending the deadline from December 6,
2 2012 to December 13, 2012.

3 DATED: November 28, 2012.

4 FENNEMORE CRAIG, P.C.

5
6 By /s/ Kevin M. Green

7 Janice Procter-Murphy
8 Kevin M. Green
9 Attorneys for Defendant
10 R.M.L.V., LLC

11 **IT IS SO ORDERED.**

12
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14 UNITED STATES DISTRICT JUDGE

15 DATED: November 29, 2012
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CERTIFICATE OF SERVICE

I hereby certify that on November 28, 2011, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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JACOB G. LEAVITT, ESQ.
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Attorneys for Plaintiffs

By /s/ Colleen A. Loos
An Employee of Fennemore Craig, P.C.